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KOLISCH HARTWELL, P.C.  
200 PACIFIC BUILDING  
520 SW YAMHILL STREET  
PORTLAND OR 97204

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**OFFICE OF PETITIONS**

In re Patent No. 7,445,656 :  
Issue Date: November 4, 2008 :  
Application No. 10/569,584 : NOTICE  
Filed: February 22, 2006 :  
Attorney Docket No. SMTT 338 :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

Liana Walsh  
Petitions Examiner  
Office of Petitions